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EXAMINER
NAJEE-ULLAH, TARIQ S

ART UNIT	PAPER NUMBER
2152	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/771,412	AOKI ET AL.
	Examiner	Art Unit	
	TARIQ S. NAJEE-ULLAH	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>07 April 2008</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-21 and 26-28</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-21 and 26-28</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This Office action has been issued in response to Applicant's Amendment filed

April 7, 2008. By action of this amendment claims 1-21 are amended, claims 22-25 are

cancelled, and claims 26-28 are added. Claims 1-21 and 26-28 are pending in this

application.

2.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action.

Response to Arguments

3.   The objection to the title is withdrawn in light of Applicant's amendment.

4.   The objection to claim 11 due to informality is withdrawn.

5.   The rejection of claims 22-25 under 35 U.S.C. 101 is withdrawn due to the

cancellation of claims 22-25.

6.   Applicant's arguments with respect to the rejection of claims 1-25 under 35

U.S.C. 102(b) have been considered but are moot in view of the new ground(s) of

rejection.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

8.   Claims 1-21 and 26-28 are rejected under 35 U.S.C. 103(a) as being

unpatentable over US Patent Application Publication 2002/0156923 to Tanimoto in view

of Japanese Patent Application JP A 2002-091856 to Shigeru (Shigeru hereinafter) as

provided in Applicant IDS submitted July 27, 2007.

        Regarding claims 1, 17, 18 and 26, Tanimoto teaches **a communication system**

(Figure 1 and associated text; Tanimoto discloses a facsimile system, i.e.

communication system.**), comprising: a communication device provided with an**

accessing system capable of accessing web pages (Page 3, paragraph [0052];

Tanimoto discloses the facsimile machine, i.e. communication device, has an HTTP

server means, i.e. accessing system, which can access data written in HTML (Hyper

Text Markup Language) used for home pages, i.e. capable of accessing web pages.)**;**

        Tanimoto does not explicitly teach **a switch interface comprising an interface**

unit, the interface unit having an opening; a portable operation member

removably insertable into the opening of the interface unit to form a switch that is

operable by a user of the communication device the operation member being

provided with a memory containing first access data which is usable by the

accessing system to access a first predetermined web page; and a transmitting

system that transmits the first access data contained in the memory to the

accessing system when the switch is operated; wherein the accessing system

accesses the first predetermined web page based on the first access data

transmitted from the memory of the operation member.

Shigeru teaches **a switch interface comprising an interface unit, the interface unit having an opening** (Shigeru; Abstract; IC card reader mounted on the image forming device, i.e. communication device connected to a touch panel keyboard, i.e. interface unit, provides a network access function, i.e. the function of a switch); **a portable operation member removably insertable into the opening of the interface unit to form a switch that is operable by a user of the communication device the operation member being provided with a memory** (Shigeru; Abstract; IC card or memory card is a small storage medium with memory that is read by an IC card reader mounted on the image forming device) **containing first access data which is usable by the accessing system to access a first predetermined web page** (Shigeru; Abstract; IC card or memory card is a small storage medium with memory that contains the URL address of a website)**; and a transmitting system that transmits the first access data contained in the memory to the accessing system when the switch is operated** (Shigeru; Abstract; IC card reader mounted on the image forming device connected to a touch panel keyboard provides a network access function)**; wherein the accessing system accesses the first predetermined web page based on the first access data transmitted from the memory of the operation member** (Shigeru; Abstract; IC card reader mounted on the image forming device connected to a touch panel keyboard provides a network access function. This allows the desired data to be read and obtained from anywhere with simple operation by utilizing the IC card)**.** Shigeru also teaches this method being implemented using computer program code (Shigeru; Detailed Description: embodiment of the invention section, pars. 61-63)

Tanimoto and Shigeru are analogous art because they are from the same field of endeavor of network communication. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use Shigeru's IC card or small storage medium with preloaded website information with Tanimoto's server device and network system. The suggestion/motivation would have been to provide an image forming device and an image forming method by which image data obtained through a network can be easily printed (Shigeru; Abstract, problem to be solved).

Regarding claims 2, 12, 20-21, Tanimoto-Shigeru discloses the invention substantially as described in claims 1 and 18 above including, **wherein the transmitting system is included in the operation member** (Shigeru; Abstract; IC card or memory card is a small storage medium with memory that is read by an IC card reader mounted on the image forming device)**; the transmitting system determines whether a predetermined condition is satisfied when the switch is operated** (Shigeru; Abstract; IC card reader mounted on the image forming device connected to a touch panel keyboard provides a network access function. This allows the desired data to be read and obtained from anywhere with simple operation by utilizing the IC card. Printing information is stored in a predetermined format)**; and the transmitting system transmits the first access data the memory to the accessing system when the predetermined condition is satisfied** (Shigeru; Abstract; IC card reader mounted on the image forming device connected to a touch panel keyboard provides a network

access function. This allows the desired data to be read and obtained from anywhere
with simple operation by utilizing the IC card).

Tanimoto and Shigeru are analogous art because they are from the same field of
endeavor of network communication. At the time of the invention, it would have been
obvious to a person of ordinary skill in the art to use Shigeru's IC card or small storage
medium with preloaded website information with Tanimoto's server device and network
system. The suggestion/motivation would have been to provide an image forming
device and an image forming method by which image data obtained through a network
can be easily printed (Shigeru; Abstract, problem to be solved).

Regarding claims 3, 11, 13, and 15, Tanimoto-Shigeru discloses the invention
substantially as described in claims 1, 2 and 12 above including, **wherein: the
operation member includes: a operation detection system that detects operation
of the switch** (Shigeru; Abstract; IC card or memory card is a small storage medium
with memory that is read by an IC card reader mounted on the image forming device)**;**
Shigeru does not teach **and a counting system that counts the number of times by
which the first access is transmitted from the memory to the accessing system,
and wherein the transmitting system determines that the predetermined condition
is satisfied if the number of times counted by the counting system is less than a
predetermined number the transmitting system determining the predetermined
condition is not satisfied if the number of times counted by the counting system
has reached the predetermined number.**

Tanimoto teaches **and a counting system that counts the number of times by which the first access is transmitted from the memory to the accessing system, and wherein the transmitting system determines that the predetermined condition is satisfied if the number of times counted by the counting system is less than a predetermined number the transmitting system determining the predetermined condition is not satisfied if the number of times counted by the counting system has reached the predetermined number** (Fig. 15A and 15B; Tanimoto discloses views showing an example of the display of the browser at the time of thread displaying of the saved image data. The display indicates the number of transmitted pages, the date and time of the transmission, the job order, and the destinations of the transmission. The display also indicated what operation was performed: retransmission, partial transmission, and records how many destinations were indicated. This indicates there is inherently a counting system that keeps track of transmissions in the transmitting system; see pg. 7, par. [0104]. Pg. 7, Par. [0108-0110]; The facsimile server judges which actions to perform based on a predetermined condition that presents different cases or courses of action.**).**

Tanimoto and Shigeru are analogous art because they are from the same field of endeavor of network communication. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use Shigeru's IC card or small storage medium with preloaded website information with Tanimoto's server device and network system. The suggestion/motivation would have been to provide an image forming device and an image forming method by which image data obtained through a network

can be easily printed (Shigeru; Abstract, problem to be solved).

   Regarding claims 4, 7 and 14, Tanimoto-Shigeru discloses the invention

substantially as described in claims 3 and 13 above including, **wherein: the**

communication device includes: a count inquiry system that transmits a count

inquiry signal inquiring the number counted by the counting system to the

operation member (Fig. 15A and 15B; Tanimoto discloses views showing an example

of the display of the browser at the time of thread displaying of the saved image data.

The display indicates the number of transmitted pages, the date and time of the

transmission, the job order, and the destinations of the transmission. The display also

indicated what operation was performed: retransmission, partial transmission, and

records how many destinations were indicated. This indicates there is inherently a

counting system that keeps track of transmissions in the transmitting system; see pg. 7,

par. [0104]. Pg. 7, Par. [0108-0110]; The facsimile server judges which actions to

perform based on a predetermined condition that presents different cases or courses of

action.)**; and a count notifying system that notifies the number counted by the**

counting system based on a count response signal which is transmitted by the

operation member in response to the count inquiry signal transmitted thereto;

and the operation member includes a count response system that outputs the

count response signal to the communication device in response to the count

inquiry signal transmitted from the communication device (Fig. 15A and 15B;

Tanimoto discloses views showing an example of the display of the browser at the time

of thread displaying of the saved image data. The display indicates the number of

transmitted pages, the date and time of the transmission, the job order, and the

destinations of the transmission. The display also indicated what operation was

performed: retransmission, partial transmission, and records how many destinations

were indicated. This indicates there is inherently a counting system that keeps track of

transmissions in the transmitting system; see pg. 7, par. [0104]. Pg. 7, Par. [0108-0110];

The facsimile server judges which actions to perform based on a predetermined

condition that presents different cases or courses of action.**).**

        Regarding claims 5 and 8, Tanimoto-Shigeru discloses the invention substantially

as described in claims 4 and 7 above including, **wherein the count inquiry system**

transmits the count inquiry signal when the first access data is transmitted from

the memory of the operation member (Fig. 15A and 15B; Tanimoto discloses views

showing an example of the display of the browser at the time of thread displaying of the

saved image data. The display indicates the number of transmitted pages, the date and

time of the transmission, the job order, and the destinations of the transmission. The

display also indicated what operation was performed: retransmission, partial

transmission, and records how many destinations were indicated. This indicates there

is inherently a counting system that keeps track of transmissions in the transmitting

system; see pg. 7, par. [0104]. Pg. 7, Par. [0108-0110]; The facsimile server judges

which actions to perform based on a predetermined condition that presents different

cases or courses of action.).

Regarding claims 6 and 9, Tanimoto-Shigeru discloses the invention substantially as described in claims 4 and 7 above including, **wherein the communication device includes an attachment detection system that detects the insertion of the operation member into the opening** (Shigeru; Abstract; IC card or memory card is a small storage medium with memory that is read by an IC card reader mounted on the image forming device**), the count inquiry system outputting the count inquiry signal when the attachment detection system detects the insertion of the operation member** (Shigeru; IC card read station controller, Detailed Description: embodiment of the invention section, pars. 22-30)**.**

Tanimoto and Shigeru are analogous art because they are from the same field of endeavor of network communication. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use Shigeru's IC card or small storage medium with preloaded website information with Tanimoto's server device and network system. The suggestion/motivation would have been to provide an image forming device and an image forming method by which image data obtained through a network can be easily printed (Shigeru; Abstract, problem to be solved).

Regarding claims 10 and 16, Tanimoto-Shigeru discloses the invention substantially as described in claims 2 and 12 above including, **wherein: the memory contains second access data indicating a second web page** (Shigeru; Detailed Description: embodiment of the invention section, par. 60; URL address list means more

than one web page can be stored on the IC card, i.e. a second web page is accessible

using the operation member)**; and the transmitting system transmits the second**

access data stored in the memory to the accessing system if the predetermined

condition is not satisfied when the switch is operated (Shigeru; Detailed

Description: embodiment of the invention section, par. 60; URL address list means more

than one web page can be stored on the IC card, i.e. a second web page is accessible

using the operation member)**.**

  Tanimoto and Shigeru are analogous art because they are from the same field of

endeavor of network communication. At the time of the invention, it would have been

obvious to a person of ordinary skill in the art to use Shigeru's IC card or small storage

medium with preloaded website information with Tanimoto's server device and network

system. The suggestion/motivation would have been to provide an image forming

device and an image forming method by which image data obtained through a network

can be easily printed (Shigeru; Abstract, problem to be solved).

  Regarding claim 19, Tanimoto-Shigeru discloses the invention substantially as

described in claim 18 above including, **comprising an indication area formed on the**

surface of the operation member that visually indicates the predetermined web

page (Shigeru; Detailed Description: embodiment of the invention section, par. 60; web

site data is made to display on a touch panel keyboard)**.**

  Tanimoto and Shigeru are analogous art because they are from the same field of

endeavor of network communication. At the time of the invention, it would have been

obvious to a person of ordinary skill in the art to use Shigeru's IC card or small storage

medium with preloaded website information with Tanimoto's server device and network

system. The suggestion/motivation would have been to provide an image forming

device and an image forming method by which image data obtained through a network

can be easily printed (Shigeru; Abstract, problem to be solved).

        Regarding claim 27, Tanimoto-Shigeru discloses the invention substantially as

described in claim 1 above including, **wherein the memory comprises a ROM, the**

ROM storing the first access data (Shigeru; Detailed Description: embodiment of the

invention section, pars. 23-24, 26, 29-30, 64**).**

        Tanimoto and Shigeru are analogous art because they are from the same field of

endeavor of network communication. At the time of the invention, it would have been

obvious to a person of ordinary skill in the art to use Shigeru's IC card or small storage

medium with preloaded website information with Tanimoto's server device and network

system. The suggestion/motivation would have been to provide an image forming

device and an image forming method by which image data obtained through a network

can be easily printed (Shigeru; Abstract, problem to be solved).

        Regarding claim 28, Tanimoto-Shigeru discloses the invention substantially as

described in claim 13 above including, **wherein the memory comprises a ROM and a**

RAM, the ROM storing the first access data and the RAM storing the transmission

number (Shigeru; Detailed Description: embodiment of the invention section, pars. 23-24, 26, 29-30, 64, 67**).**

Tanimoto and Shigeru are analogous art because they are from the same field of endeavor of network communication. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use Shigeru's IC card or small storage medium with preloaded website information with Tanimoto's server device and network system. The suggestion/motivation would have been to provide an image forming device and an image forming method by which image data obtained through a network can be easily printed (Shigeru; Abstract, problem to be solved).

Conclusion

9.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TARIQ S. NAJEE-ULLAH whose telephone number is (571)270-5013. The examiner can normally be reached on Monday through Friday 8:30 - 6:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

T.N.

/Jeffrey Pwu/

Supervisory Patent Examiner, Art Unit 2146